

EX PARTE OR LATE FILED

RECEIVED

MAR 22 1994

DOCKET FILE COPY ORIGINAL  
KOTEN & NAFTALIN  
1150 CONNECTICUT AVENUE  
WASHINGTON, D.C. 20036

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

TELEPHONE  
(202) 467-5700  
TELECOPY  
(202) 467-5915  
CABLE ADDRESS  
"KOBURT"

BERNARD KOTEN  
ALAN Y. NAFTALIN  
RAINER K. KRAUS  
ARTHUR B. GOODKIND  
GEORGE Y. WHEELER  
HERBERT D. MILLER, JR.  
MARGOT SMILEY HUMPHREY  
PETER M. CONNOLLY  
M. ANNE SWANSON  
CHARLES R. NAFTALIN  
GREGORY C. STAPLE  
OF COUNSEL

March 22, 1994

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW  
Washington, DC 20054

Re: PR Docket No. 93-61, RM-8013  
Automatic Vehicle Monitoring System


Dear Mr. Caton:

On behalf of Mark IV Industries, Ltd., I.V.H.S. Division ("Mark IV"), this is to confirm pursuant to Section 1.1206 of the Commission's Rules that I met today with Rudy Baca, Special Assistant to Commissioner James H. Quello, Ralph Haller, Chief, Private Radio Bureau, Rosalind Allen, Chief, Rules Branch, Private Radio Bureau and John Borkowski, Private Radio Bureau. The topics of discussion included positions previously presented in the pleadings of Mark IV in the above-referenced docket and the attached materials.

An original and one copy of this letter with attachments are submitted herewith. Copies of this letter and the attachments are being provided to the Commission staff members involved and to Chairman Reed E. Hundt, Commissioner James H. Quello, Commissioner Andrew C. Barrett, Karen Brinkman, Byron Marchant, Donald Gips, and Martin Leibman.

In the event there are any questions concerning this matter, please communicate with the undersigned.

Very truly yours,

  
George Y. Wheeler

Enclosure

No. of Copies rec'd  
List ABCDE

241

RECEIVED

MAR 22 1994

LAW OFFICES

KÖTEEN & NAFTALIN

1150 CONNECTICUT AVENUE  
WASHINGTON, D.C. 20036

BERNARD KÖTEEN  
ALAN Y. NAFTALIN  
RAINER K. KRAUS  
ARTHUR B. GOODKIND  
GEORGE Y. WHEELER  
HERBERT D. MILLER, JR.  
MARGOT SMILEY HUMPHREY  
PETER M. CONNOLLY  
M. ANNE SWANSON  
CHARLES R. NAFTALIN

GREGORY C. STAPLE  
OF COUNSEL

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

TELEPHONE  
(202) 467-5700  
TELECOPY  
(202) 467-5915  
CABLE ADDRESS  
"KOBURT"

March 22, 1994

Chairman Reed E. Hundt  
Federal Communications Commission  
1919 M Street, N. W.  
Washington, D. C. 20554

Re: PR Docket No. 93-61, RM-8013  
Automatic Vehicle Monitoring System

Dear Chairman Hundt:

On behalf of Mark IV Industries, I.V.H.S. Division, attached is a copy of the News Release of The InterAgency Group representing toll authorities in New York, New Jersey, and Pennsylvania dated March 18, 1994, in which it announces the selection and recommendation of Mark IV Industries, I.V.H.S. Division as the supplier of the tag and reader equipment for the planned three-state "E-Z Pass" electronic toll collection system.

The implementation of a "one-tag" system throughout the heavily travelled toll corridors in New York, New Jersey and Pennsylvania will maximize customer convenience, promote highway and vehicle safety, reduce roadway congestion, increase energy efficient transportation and enhance economic productivity. With more than four million vehicles now served daily, in the aggregate, by the seven toll authorities involved, this new integrated electronic toll-collection system potentially will benefit millions of toll highway, bridge and tunnel users. The work of this unprecedented alliance of toll authorities clearly supports the national goals for IVHS articulated by Congress.


It is essential that the frequency plan for licensed AVM services in the 902-928 MHz band and related technical regulations to be adopted by the Commission accommodate the high data rate active and semi-active technologies developed by Mark IV and others for short-

Chairman Reed E. Hundt  
March 22, 1994  
Page 2

range AVI/VRC systems. These systems require a minimum of 6 MHz of continuous bandwidth which we have proposed be located in the 912-918 MHz subband.

With the projected commencement of construction of the E-Z Pass system in early 1995, we strongly support the request of The InterAgency Group for early action to establish permanent AVM rules. We also request that the Commission, considering the geographical coverage, sophistication and other public service responsibilities of the seven agencies involved, provide extended implementation authority for such "public" systems. As indicated in the attached News Release, implementation of the extensive E-Z Pass system is currently planned to take from early 1995 to 1999. These are the other recommendations of The InterAgency Group in the Commission's AVM rulemaking should be adopted.

Very truly yours,

  
George Y. Wheeler

Enclosure

cc(w/encl.)  
Commissioner James H. Quello  
Commissioner Andrew C. Barrett  
Ralph Haller  
Parties of Record

# NEWS RELEASE



**INTERAGENCY GROUP SELECTS  
E-ZPass VENDOR  
March 18, 1994**

## INTERAGENCY GROUP

Contacts:

Atlantic City Expressway  
Rich Wosman  
(609) 985-6080 x41

### FOR IMMEDIATE RELEASE

Garden State Parkway  
Dennis Ingoglia  
(908) 443-8800 x8603

**NEW YORK, NY.** A seven-agency group representing toll authorities in New York, New Jersey, and Pennsylvania today announced the selection of a manufacturer to furnish a compatible electronic toll collection system which will be recommended to each agency's governing board. The system is designed to increase customer convenience and reduce toll plaza congestion.

New Jersey Turnpike Authority  
Lynn Ranger  
(908) 247-0800 x5801

Mark IV IVHS Incorporated of Amherst, NY was selected to provide the tag and reader equipment for the system, named E-ZPass by the Interagency Group, that will be used on toll roads, bridges, and tunnels in the three states. Collectively, facilities operated by the seven agencies serve more than four million customers daily.

New York State Thruway Authority  
John Cardillo  
(516) 438-2983

The selection was made following more than two years of cooperation among the seven agencies - the New Jersey Highway Authority (operator of the Garden State Parkway), the New Jersey Turnpike Authority, the New York State Thruway Authority, the Pennsylvania Turnpike Commission, the Port Authority of New York and New Jersey, the South Jersey Transportation Authority (operator of the Atlantic City Expressway), and the Triborough Bridge and Tunnel Authority. As a result of this unprecedented alliance, there will be a one-tag system that will maximize customer convenience in the three states. Implementation plans call for the installation of E-ZPass technology by each of the individual agencies using a phased approach. Beginning in early 1995, full implementation is expected to be complete by 1999.

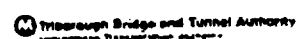
Pennsylvania Turnpike Commission  
Mike Kennedy  
(717) 938-8651 x2820

Port Authority of NY & NJ  
Terry Benwick  
(212) 435-7777

E-ZPass will eliminate the need for motorists to exchange cash, tokens, or tickets at a toll booth. Instead, tolls will be paid electronically as a vehicle passes through the toll booth. When fully implemented, E-ZPass will be available at all participating toll facilities in the tri-state region.

Triborough Bridge & Tunnel Authority  
Frank Pascual  
(212) 486-8460

Today's selection culminates extensive testing of read/write technology tag and reader equipment from both Amtech Systems Corporation and Mark IV IVHS Incorporated, the two finalists. The read/write technology is considered state-of-the-art for the transportation industry. In addition to the interagency Group sponsored tests, several regional toll authorities have conducted individual tests of various types of electronic toll collection (ETC) equipment and have shared the results.



**INTERAGENCY GROUP SELECTS****E-ZPass VENDOR****Page 2.****March 18, 1994**

Vehicles using E-ZPass will be equipped with a small electronic device, known as a tag, that communicates vehicle information to equipment in the toll lanes that collect and transmit data to and from the tags. The data are then processed and the appropriate toll charged to or credited against the customer's account. Each individual agency will establish E-ZPass customer account procedures for customers using its toll facilities. Special attention will be given to ensure that account procedures and policies are as consistent as possible among the agencies for the benefit of their shared customers.

Each agency will be implementing E-ZPass at its facilities in accordance with local operating conditions with the overall objective of maximizing safety and convenience. Some agencies may offer E-ZPass with a brief stop in the toll lane, while others may offer it with "roll through" at a slow speed. For customers who do not choose to use E-ZPass, the existing means of paying tolls will continue to be available at each agency.

The New York State Thruway Authority (NYSTA) has dedicated, non-stop "E-ZPass Only" lanes at its recently introduced, interim E-ZPass installations at the Tappan Zee Bridge, Spring Valley, and Yonkers toll plazas in the New York City area and at the Grand Island Bridges, located north of Buffalo. The NYSTA will convert these sites to the (NAMED) technology.

#

#

#